PRESERVED

App. F. IX-4

Previous References
Ch. 17-38(5,6)

1939.
(9)
Comb

File No. 228-3
Serial Nos. 1-2

Later References.
Ch. 200-40 (1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two only

PRESERVED

Part B for May 1940

SUBJECT.

Addenda & Corrigenda to the Supplementary Memorandum on the procedure to be followed in regard to letters of request, Commissions & Summonses for foreign countries.

No. P. 748; 8/23.5-40 The Registrar, High Court.
Forwards copy & above.

WD 0573—GPB—22,500—12-9-39

Serial No.

I can

[illegible] Secretary [illegible]

HC R. F. 505-37 ; Putt Dy Asst. Dy

[illegible] for information a copy [illegible] from Secretary, Judicial and Criminal to the Supreme Memorandum on the procedure to be followed Regard to letter by Consular Services and Consulates for foreign Countries.

The Statement may be sent for the inform of the High Court.

A draft of a letter is put up.

Jan 1615

Dy Secretary Gen & Scaly 3 17/

Hm 22/5 9h

Issued No P-7481 d 23.5.

to the Registrar High Court

THE OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE

Dated Bangalore, the 4th April 1940.

No.R.F.665-39/Judl. & 2 ₹ 228-39-1

A copy of the undermentioned paper is forwarded with compliments to the Secretary to the Government of His Highness the Mahar of Mysore, Law Department, Bangalore, for information, in continuation of letter from this Residency R.Dis.No.F.563-38/R.O.I, dated the 27th February 1939.

ADDENDA AND CORRIGENDA TO THE SUPPLEMENTARY MEMORANDUM ENCLOSED WITH THE CIRCULAR LETTER FROM THE GOVERNMENT OF IN THE HOME DEPARTMENT, NO.11/9/37-JUDICIAL, DATED THE 26th NO 1938.

Page 1 of the Supplementary Memorandum Item Method of tion of documents.

The existing paragraph should be numbered as (1) and t following added as paragraph (2):-

"(2) The Letter of request and accompanying documents be in the following order:-

(a) Letter of Request.

(b) Index in English (if not included in (a)). This complete, that is to say every document in the bundle and w follows the letter of request must be separately specified with its serial or page number and either every document mu serial number corresponding to the number opposite that doc in the index or the whole bundle of documents following the of request must be paged consecutively. Moreover all number appearing at the top or foot of any page of the documents oth the number (if any) assigned to that page by the index should deleted.

(c) Narrative (if not included in (a)) including, where n sary, an explanation of the reasons for the institution of tw for the same amount.

(d) Interrogatories, cross-interrogatories and re-interr tories. These should contain the same description of witne as appears in the letter of request.

(e) Other documents (in chronological order) accompany letter of request.

(f) Translations of (a) to (e) inclusive where necessa arranged in the same order and each one of them properly ce by an official of the Court as true translations.

(g) Duplicates of (a) to (f) inclusive and not grams arranged in the same order and each one of the certified by an official of the Court as true copies

Pages 2 and 3 of the Supplementary Memorandum

Item Siam.

(i) The words "Siam" and "Siamese" wherever they occur at present in paragraphs (1), (2) and (3) should be substituted by the words "Thailand" and "Thai" respectively.

(ii) For the words and figure "in form No.8 of Appendix H of the Code of Civil Procedure."

at the end of the first sentence in paragraph (2) the following words and figure should be substituted:-
"in form No.7 of Appendix H, of the Code of Civil Procedure with the omission of the expression "Process to compel the attendance of the witness will be issued by any Court having jurisdiction on your application",.

(iii) Add the following as paragraph (5)

"(5) In conformity with the requirements of the Thai Ministry of Justice relative to the service in Thailand of writs of summonses issued by foreign courts what is required is not the original writ or copy thereof, but a notice or certificate that the writ has been issued.

Page 5 of the Supplementary Memorandum.

Item United States of America.

For the formula given at the end of the first paragraph the following should be substituted:-

"To His Majesty's Consul (or Consul General) at ----------
or his Deputy with power to appoint any other person or persons whom he may deem fit to take the evidence on interrogatories to accompany this commission and viva voce of such witness to be examined at ---------- and/or at ----------".

Page 6 of the Supplementary Memorandum.

Item Iraq.

The concluding sentence should be substituted by the following sentence:-

'If, for any particular reason-which should be stated in the case-it is considered necessary to transmit the document to the Iraqi authorities through His Majesty's Embassy at Bagdad, they should be sent through the Provincial Government to the Government of India who will forward them under cover of a despatch to the Embassy."

---:O:---

"C O P Y"

SUPERINTENDENT, RESIDENT'S OFFICE.

G R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

No. P 7481/Secl/23-5-40
Cs 228-39-2

4

To

The Registrar High Court
Of Mysore

Sir

In Continuation of this Office letter No P 4875/Cs 17-38-6 dy 13-3-1939 I am directed to forward herewith the information of High Court Copy of a Statement embodying Addenda and Corrigenda to the Supplement Memorandum on the Procedure to be followed in regard to Letters of Request, Commissions and Summonses for foreign Countries

I have etc
3 ✓

for Secretary to Govt
Law Depr